

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

CHRISTOPHER BOJKO,	:	
Plaintiff,	:	
	:	
v.	:	CIVIL ACTION NO. 19-CV-2072
	:	
MICHAEL SASKOR, et al.,	:	
Defendants.	:	

ORDER

AND NOW, this **23rd** day of **May, 2019**, upon consideration of Plaintiff Christopher Bobko's Motion to Proceed *In Forma Pauperis* (ECF No. 1), his Prisoner Trust Fund Account Statement (ECF No. 3), and his *pro se* Complaint (ECF No. 2), for the reasons stated in the Court's accompanying Memorandum it is **ORDERED** that:

1. Leave to proceed *in forma pauperis* is **GRANTED** pursuant to 28 U.S.C. § 1915.
2. Christopher Bobko, #25892, shall pay the full filing fee of \$350 in installments, pursuant to 28 U.S.C. § 1915(b), regardless of the outcome of this case. The Court hereby directs the Warden of Northampton County Prison or other appropriate official to assess an initial filing fee of 20% of the greater of (a) the average monthly deposits to Bobko's inmate account; or (b) the average monthly balance in Bobko's inmate account for the six-month period immediately preceding the filing of this case. The Warden or other appropriate official shall calculate, collect, and forward the initial payment assessed pursuant to this Order to the Court with a reference to the docket number for this case. In each succeeding month when the amount in Bobko's inmate trust fund account exceeds \$10.00, the Warden or other appropriate official shall forward payments to the Clerk of Court equaling 20% of the preceding month's income

credited to Bobko's inmate account until the fees are paid. Each payment shall reference the docket number for this case.

3. The Clerk of Court is directed to **SEND** a copy of this order to the Warden of Northampton County Prison.

4. The Complaint is **DEEMED** filed.

5. The Complaint is **DISMISSED with prejudice** pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii) as to Defendants Michael Saskor, Farmer's Insurance, Northampton County Prison, Robert Glazer, Paula Roscioli, and Nicole Treadwell.

6. The Complaint is **DISMISSED without prejudice** pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii) as to Defendants Jimmy Kostura, David Penchishen, Sheriff (Unknown), Mark Bartholmew, Tara Fister and James Klineman.

7. Bobko is **GRANTED** leave to file an amended complaint within thirty (30) days. Bobko may not reassert a claim against any Defendant dismissed herein with prejudice. Any amended complaint shall identify all defendants in the caption of the amended complaint in addition to identifying them in the body of the amended complaint, and shall state the basis for Bobko's claims against each defendant. If Bobko does not know the identity of the individuals responsible for violating his rights, he may refer to them as Jane or John Does; however, Bobko must still describe how these individuals violated his rights.¹ Upon the filing of an amended complaint, the Clerk shall not make service until so **ORDERED** by the Court.

8. The Clerk of Court shall send Bobko a blank copy of the Court's form

¹ Without the name of at least one individual or entity, however, the Court will be unable to direct service of any amended complaint that Bobko may file.

complaint to be used by a prisoner filing a civil rights action bearing the above civil action number. Bobko may use this form to file his amended complaint if he chooses to do so.

9. If Bobko fails to comply with this Order, his case may be dismissed for failure to prosecute without further notice.

BY THE COURT:

/s/ Eduardo C. Robreno

EDUARDO ROBRENO, J.